

REMARKS

After entry of the above amendments claims 37-69 will be pending in the above-identified application. Applicants reserve the right to pursue any cancelled claim in a continuation application. New claims 37-69 correspond to some of the cancelled original claims 1-36 and are supported in the detailed specification, for instance, on page 5, lines 13-22, page 6, lines 4-12, and page 7, lines 11-15. No new matter has been added.

In the final Office action dated July 29, 2005, now cancelled claims 1-3, 13-15, and 25-27 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Friedman, U.S. Patent No. 5,898,779 (hereinafter "Friedman"), in view of Squilla et al., U.S. Patent No. 5,898,779 (hereinafter "Squilla"), and further in view of Steinberg, U.S. Patent Publication No. 2002/0041329 (hereinafter "Steinberg '329"). Now cancelled claims 6-12, 18-24, and 30-36 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Friedman, in view of Squilla and Steinberg '329, and further in view of Steinberg et al., U.S. Patent No. 5,862,217 (hereinafter "Steinberg '217").

Friedman, Squilla, Steinberg '329, and Steinberg '217 do not, alone or in combination, disclose, teach, or suggest "hashing a file containing both the captured image and the digital signature associated with the device to produce a digest," as recited in Claims 37, 48, and 59

New claims 37, 48, and 59 recite "hashing a file containing both the captured image and the digital signature associated with the device to produce a digest." The final Office action states:

Friedman discloses . . . 1) storing the captured image and the digital signature in a file, wherein the file is located within a memory of the digital camera; 2) hashing the file thereby producing a digest; and 3) associating the digest with the private key (column 5, lines 55-65).

(July 29, 2005 final Office action, pg. 5).

The passage of Friedman cited by the final Office action states:

As applied to digital cameras, the object is to provide a digital signature for an image file as it emerges in digital form from a digital camera system 10 for later authentication as required. To accomplish this, the digital camera 11 produces from a contained processor 12 two output files for each captured image as shown in FIG. 3a: the first is an all digital, industry standard format image file representing the captured image. The second would be an encrypted digital signature of the image file produced as shown in FIG. 3b by using the camera's unique private key (embedded within the digital camera's secure microprocessor 12b) to encrypt a hash of the captured image file (produced by hashing microprocessor 12a) for creating an encrypted image hash, thus producing a digital signature which, like the image file, is recorded in a recorder 12c of the digital camera system 10, or transmitted directly to a digital processor's memory for later authenticating and viewing the captured image.

(Col. 5, ll. 49-65). Thus, Friedman only discloses hashing an image file representing the captured image and then encrypting the hashed image file to produce a digital signature of the captured image. It does not teach "hashing a file containing both the captured image and the digital signature associated with the device to produce a digest," as recited in claims 37, 48, and 59 (emphasis added).

Squilla does not cure the deficiencies of Friedman as it is directed to a "Photographic System with Selected Area Image Authentication." (Title). Squilla discloses:

[An] encryption system . . . [comprising] means for designating at least one partial area of the image as an active area of the image suitable for

authentication and for generating location data identifying the active area, and means for calculating image hash from image data of the active area of the image using a predetermined hash algorithm. The image hash is then encrypted with the embedded private key, thereby producing a digital signature uniquely associated with said active area of the image”

(Squilla, col. 3, ll. 8-16). Hence, as with Friedman, Squilla only teaches hashing the image file and then encrypting the image hash to produce a digital signature. It does not disclose “hashing a file containing both the captured image and the digital signature associated with the device to produce a digest,” as recited in claims 37, 48, and 59.

Therefore, even if Friedman was combined with Squilla, the combination would neither teach nor suggest “hashing a file containing both the captured image and the digital signature associated with the device to produce a digest,” as recited in claims 37, 48, and 59.

Moreover, Squilla teaches against Friedman as it is “directed to overcoming . . . [a] major drawback of . . . a camera system . . . that . . . generates the digital hash from the whole image,” and specifically states that only a portion of the image should be hashed and encrypted in order to reduce power usage. (Squilla, col. 2, ll. 59-63). Consequently, there would be no motivation to combine Friedman with Squilla in light of the teachings in Squilla.

Steinberg ‘329, like Squilla, fails to cure the deficiencies of Friedman. Steinberg ‘329 is directed to “a digital camera system wherein personal, camera model related and generic messages are compiled and transmitted by a message center and received by and displayed on a digital camera.” (Steinberg ‘329, pg. 1, para. 0003). Steinberg ‘329 only mentions that “personal messages to a particular user may be encrypted, or otherwise

secured.” (Steinberg ‘329, pg. 2, para. 0038). Nowhere does it disclose “hashing a file containing both the captured image and the digital signature associated with the device to produce a digest,” as recited in claims 37, 48, and 59. In fact, the terms “hash” and “digital signature” are not even mentioned in Steinberg ‘329.

Thus, even if Friedman was combined with Squilla and Steinberg ‘329, the combination would neither teach nor suggest “hashing a file containing both the captured image and the digital signature associated with the device to produce a digest,” as recited in claims 37, 48, and 59.

As with Squilla and Steinberg ‘329, Steinberg ‘217 does not cure the deficiencies of Friedman. Steinberg ‘217 is directed to “a method and apparatus for encrypting images in a camera as part of the image acquisition process.” (Steinberg ‘217, col. 1, ll. 8-10). Steinberg ‘217 discloses “employing a single password for initializing the camera to take a picture and encrypt an image, as well as for decrypting the encrypted image at a later stage.” (Steinberg ‘217, col. 4, ll. 7-10). It does not teach “hashing a file containing both the captured image and the digital signature associated with the device to produce a digest,” as recited in claims 37, 48, and 59. In fact, like Steinberg ‘329, the terms “hash” and “digital signature” are never mentioned in Steinberg ‘217.

Hence, even if Friedman was combined with Squilla, Steinberg ‘329, and Steinberg ‘217, the combination would neither teach nor suggest “hashing a file containing both the captured image and the digital signature associated with the device to produce a digest,” as recited in claims 37, 48, and 59.

Attorney Docket: RPS920000054/1793P

Accordingly, based at least on the above reasons, applicants respectfully submit that claims 37, 48, and 59 are patentable over Friedman, in view of Squilla, Steinberg '329, and Steinberg '217. Given that claims 38-47, 49-58, and 60-69 depend from claims 37, 48, and 59, it is respectfully submitted that those claims are patentable over Friedman, in view of Squilla, Steinberg '329, and Steinberg '217 for at least the same reasons.

Friedman, Squilla, Steinberg '329, and Steinberg '217 do not, alone or in combination, disclose, teach, or suggest "encrypting the digest using a private/public key pair associated with the user to create a digital signature for the user," as recited in Claims 37, 48, and 59

As discussed above, Friedman, Squilla, Steinberg '329, and Steinberg '217 do not, alone or in combination, disclose, teach, or suggest "hashing a file containing both the captured image and the digital signature associated with the device to produce a digest," as recited in claims 37, 48, and 59. Since Friedman, Squilla, Steinberg '329, and Steinberg '217 all fail to disclose "a digest," they also fail to disclose, teach, or suggest "encrypting the digest using a private/public key pair associated with the user to create a digital signature for the user," as recited in claims 37, 48, and 59.

Furthermore, none of the references cited in the final Office action, discloses "a digital signature for the user," as recited in claims 37, 48, and 59. Neither Steinberg '329 nor Steinberg '217, as noted above, even uses the term "digital signature." In addition, Friedman and Squilla only teaches producing a digital signature associated with the captured image or a portion of the captured image, not both "providing a digital signature associated with the device" and creating "a digital signature for the user," as recited in claims 37, 48, and 59. (See Friedman, col. 5, ll. 49-65 and Squilla, col. 3, 8-16).

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Therefore, even if Friedman was combined with Squilla, Steinberg '329, and Steinberg '217, the combination would also neither teach nor suggest "encrypting the digest using a private/public key pair associated with the user to create a digital signature for the user," as recited in claims 37, 48, and 59.

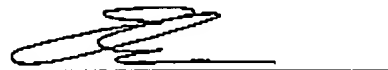
Accordingly, based at least on the additional reasons above, applicants respectfully submit that claims 37, 48, and 59 are patentable over Friedman, in view of Squilla, Steinberg '329, and Steinberg '217. Given that claims 38-47, 49-58, and 60-69 depend from claims 37, 48, and 59, it is respectfully submitted that those claims are patentable over Friedman, in view of Squilla, Steinberg '329, and Steinberg '217 for at least the same additional reasons.

CONCLUSION

On the basis of the above remarks, reconsideration and allowance of the claims is believed to be warranted and such action is respectfully requested. If the Examiner has any questions or comments, the Examiner is respectfully requested to contact the undersigned at the number listed below.

Respectfully submitted,
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